

Proposed Change to Rule 3335-13-06: Non-Substantive Changes to Intellectual Property Rights Policy

Proposed revision to the university rules from the Intellectual Property and Patents Committee (IPPC):

Patent-Intellectual Property Rights

3335-13-06 Rights to and interests in intellectual property, patents, and copyrights.

The university shall have a policy or policies on intellectual property, patents, and copyrights (hereinafter referred to as “the policy”).

(A) The intellectual properties, patents and copyrights committee of the university senate shall maintain the policy. Specifically, the committee shall review all proposed changes to the policy, and shall also have the power to initiate its own proposed changes to the policy. The chair of the committee shall also be designated as a member of the policy writing group for any revisions to the policy. Revisions shall be promulgated through the university policy process and then recommended to faculty council and the university senate. All substantive revisions to the policy must be approved by the faculty council and the university senate, in addition to the other approvals required by the university policy process. Notwithstanding the previous sentence, rRevisions that are clearly non-substantive and of a technical nature, such as typographical errors, changes in diction, grammar, format, title of administrative and academic units and executives, and cross-references, can be approved solely by the university’s director of policy, the vice president responsible for the operation of the technology commercialization office, and the intellectual property, patents and copyrights committee.

(1) Membership, duties, and organization of the intellectual property, patents and copyrights committee shall be in accordance with rule 3335-5-48.19 of the Administrative Code.

(2) The policy on intellectual property, patents, and copyrights shall include specific procedures for appeals to the intellectual property, patents and copyrights committee.

(B) The board of trustees deems it in the best interest of the university, its faculty, staff, and students, and in the interest of the promotion of research and development to provide for participation by faculty, staff, and students in the proceeds from intellectual

property conceived or developed by them as determined by the policy. The term “intellectual property” shall be defined in the policy.

(C) The university recognizes that copyright protections are fundamental to the academic mission, and that traditional scholarly and artistic intellectual works created by faculty, staff, and students generally belong to those individual creators. There are, however, instances defined in the policy in which specific rights, titles, and/or interests in copyrightable works created by faculty, staff, and students may vest in whole or in part in the university or other entities. As such, the policy shall establish the ownership of all rights, titles, and interests for copyrightable works created by faculty, staff, and students. The technical meaning of “copyrightable works” shall be defined in the policy.

(D) The policy shall be ~~administered~~ implemented under the direction of the president of the university or ~~his/her~~ their designees, as determined by the policy.

Proposed revision to the IP Policy (to be put forward by IPPC and then promoted through the University’s Policy Process, plus the Faculty Council and the University Senate, and then the BOT):

IX. Policy Review and Revisions

A. IPPC shall maintain this policy and shall review it and its effect, from time to time, as needed. IPPC shall review all proposed changes to this policy, and shall have the power to initiate its own proposed changes to this policy. The chair of IPPC shall be a member of the policy writing group for any revisions to this policy. Revisions to this policy shall be promulgated through the university policy process and then recommended to faculty council and the university senate. All revisions to this policy must be approved by the faculty council and the university senate, in addition to the other approvals required by the university policy process.

B. Notwithstanding section XI.A., revisions that are clearly non-substantive and of a technical nature, such as ~~typographical errors~~, changes in ~~diction~~, grammar, format, title of administrative and academic units and executives, and cross-references, can be approved solely by the university’s director of policy, the vice president responsible for the operation of the ~~TCO~~ technology commercialization office, and ~~IPPC~~ the intellectual property and patents committee.